



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD
ARLINGTON, VA 22204

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Docket No. 4498-25
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 21 January 2026. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations, and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record, and applicable statutes, regulations, and policies, as well as the 23 April 2025 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB) and the 18 March 2025 advisory opinion (AO) provided to the PERB by the Manpower Management Performance Branch (MMPB-23). Although you were afforded an opportunity to submit a rebuttal to the AO, you chose not to do so.

The Board carefully considered your request to modify your fitness report for the reporting period of 1 June 2019 to 30 April 2020, to reflect improved scores in all categories, change your comparative assessment (CA) score from block 5 to block 6, and remove your failure to select from your record. You contend that the relative value (RV) of the fitness report was low; which you believe contributed to your failure of selection (FOS) for promotion. In support of your application, you provided letters from your Reporting Senior (RS) and Reviewing Officer (RO); wherein they acknowledged error in their marking philosophies for Marines of your grade and endorsed your requested modifications to the fitness report.

The Board, however, substantially concurred with the PERB's decision that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting removal of your fitness report. Rather, the Board determined that your fitness report is valid as written, and

filed in accordance with the Marine Corps Performance Evaluation System (PES) Manual. As a preliminary matter, the Board agreed with the AO that your significant delay in submitting your petition undermines the credibility and legitimacy of your request. Additionally, as the AO explained, neither a low RV (or CA), nor your belief that your low RV caused your FOS, constitute grounds for modifying a fitness report. That said, the Board carefully considered your evidence, including the letters from your reporting officials, but found the evidence unconvincing. As the AO identified, your RS had written 13 fitness reports on officers of your grade at the time of your report, demonstrating his experience and familiarity with the evaluation process. Although his letter indicates his support of changes to your report, the justification he offered is insufficient since it fails to introduce any new facts about your performance or conduct that were not known to him at the time the report was written. The Board opined, the credibility and strength of the PES relies on the accuracy and fairness of original assessments; not on hindsight or opportunistic revisions. The Board was likewise unmoved by the letter from your RO. Allowing reporting officials to revise original assessments based on a Marine's prompting, or to improve a particular Marine's prospects for advancement, compromises the integrity of the PES overall. The Board thus concluded there is no probable material error, substantive inaccuracy, or injustice warranting corrective action. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

2/18/2026

